P.182

Final incomplete

1978-79

2-78

pg. 1-3

Law charges incurred by the Cantonment municipality.

Indexed
K.P.

No. 1248 & Encs

Office of the Cantt. Municipal Commission

Bangalore 9 September 1878.

From

The President,

Cantonment Municipal Commission,

Bangalore.

To,

The Secretary to the

Chief Commissioner of Mysore.

Dutton Department

Sir,

Agreeably to the instructions Conveyed in para 4 of Chief Commissioners Proceedings No. 10042/7578 dated 1st January 1877 ordering thereto I have the honor to enclose Letter No. 291 d/7 Instant answering a Memo of Court Charges & incurred in connection with the Suits against the Rubbish Contractors &c. for recovery of the amount expended by the Municipality in the supply of Carts for the Conservancy of Nos. 1, 3, 4, 5, and 6 Divisions of the Cantonment consequent on their failing to carry out the terms of their respective Contracts; the total Law Charges on this account it will be perceived from the enclosed documents, amount to Rupees 460-4-9 four hundred & sixty rupees four annas and nine pies, and the I you will be good enough to obtain

[illegible]

Form No. 73.

1878.

the sanction of the Chief Commissioner for disbursement of the Amount from the Budget allotment under item XIII Revenue

From
The President,
Cantonment Municipal Commission,
Bangalore.

To
The Secretary to Chief Commissioner,
Public ~~General~~ Department.

Dated.
Despatched. } 9 September 78
Received. 9/9/78.

Enclosures No. 2—

Sanction to
Panchoch Jewant

J. M. M.

Overdraft Commissariat
Bangalore Fort

General No. 1248
No

Cf

Read the Chief Commissioners Sanction for the disbursement of Law & Charges viz Rs 460-6-9 from the Budget allotment under item XIII Revenue.

The Govt gives us no information as to the circumstances under which the Court was held when the Issues "decided" for or against the Board in the latter case why the costs awarded should not be recovered from the party adversed to from the same

Enquire by M/S BM 12/9/78

Municipal.

187 879.

From

To

The President of the
Cantonment Commission.
Bangalore.

Dated 14th } September 1878
Despatched
Received

Enclosures No. 11

Dated
General No. 1855-
Mil. No. 137

President's no. 1248, 19th September 1878, requesting sanction to the disbursement from the current year's Budget provision under item XIII Reserve, of the sum of Rs 460-4-9, being the amount of Law Charges incurred by the Cantt. Municipality certain in connection with Suits filed against the Rubbish Contractors.

With reference to the above, Enquires what were the circumstances under which the Suits were laid, whether they were decided for or

or against the Municipal Board, and in the former case, why the costs awarded should not be recovered from the parties adjudged to pay the same.

"By order"

13/11/09

Asst. Secretary.

The payment of Rs 460. 4. 9 mentioned in Presidents No 248 of 9 Sept/78 may be sanctioned all the suits appear to have been decided in favour of the Board, and the costs awarded are in course of recovery

25/11/78

Form No. 9.

Ord 258

187[illegible].

Sd 3

From

The President,

Cantonment Municipal Commission,

Bangalore,

To

The Secretary to Chief Commissioner,

Disptch General Department.

Dated.
Despatched. 22nd November 78
Received.

Enclosures No. 6

General No. 19846
No.

(Your No. 18557/37 of 11 dept 78 Enquiring (1) what were the circumstances under which the suit against the Publick Contractors were laid and (2) whether they were decided for, or, against the Municipal Board and in the former case why the costs awarded

he received from the parties adjudged to pay the same

In reply I have the honor to state that three suits were brought against the Rubbish Contractors of No. 1, 4, 5 and 6 Divisions and the Contractors for the Municipal Sandy Stand both suits for recovery of Costs were decided in favor of the Municipal Board and the amount of the award has already been partially received, A copy of the decree the only one as yet received against Damaseby Chaidin and his Security is herewith forwarded for information; the decree in the suit against Chavannes Chaidin Sandy Stand Contractor and Rubbish Contractor etc. / Div. will be forwarded when received

President Board Commrs
(Bangalore Cantt)

In the Court of the Civil & Sessions Commissioner
Bangalore District

Before J Lacey Esquire B.C.S
Civil & Sessions Commissioner

Bangalore this 30th day of April 1878

Original Suit No 2 of 1878

Plaintiffs
The Municipal
Commissioners
Bangalore Cantonment

vs

Defendants
1 Wandoby Gaudo
Contractor residing in
Mottoochery Cantt
Bangalore
2 Gravel Butchamma
Contractor residing in
the Cantonment Bangalore

Claim

Suit to recover Rupees 1680 15-0 due by Defendants upon three Contracts to remove rubbish from the Cantonment of Bangalore
The particulars of the Claim are given in the Schedule attached to the Plaint

Decree

This cause coming on for final disposal

Pursuant to adjournment before this Court
this thirtieth day of April 1878. Plaintiffs were
represented by their Pleader Mr E Schutte, 1st Dft
endant by his counsel Mr Mariappa Chetty and
the 2nd Defendant by Mr Shivanarapa Chetty
this Court doth order and decree that the
Plaintiffs do recover from the Defendants
the Sum of Rupees 1157-3-0 one thousand one
hundred and fifty seven and annas three with
proportionate costs and further interest at 6 per cent
per annum from this date to date of payment
Given under my hand and Seal of the Court
this 30th day of April 1878

(Signed) J Lacey B L
Jud Asst Commissioner
Bangalore District

Memo of Costs

Plaintiffs costs to be paid by Defendants

Stamp for plaint	Rs	110	0
Summons to Defendants	Rs	1	8
List of Witnesses	Rs	0	0
Summons to Witnesses	Rs	0	0
Travelling Batta	Rs	0	0
Power of Attorney	Rs	0	8
Pleaders fee	Rs	84	0
Stamp for Injunction order	Rs	0	8
Stamp for warrant of attachment 3	Rs	5	0
Total		201	8

Of this, the Defendants are directed to pay Plaintiffs the sum of Rs 150-5-8 being pro=: portionate costs on the decreed amount—

Defendants Costs to be borne by themselves.

1st Defendant's Costs.

Cost of Witnesses	Rs	"	8 — "
Summons to Witnesses	Rs	6	— " — "
Travelling Batta	Rs	1	— 12 — "
Stamp for a petition	Rs	"	— 8 — "
Notice to Plaintiff	Rs	1	— " — "
Copy & Transcription Fee	Rs	4	— 9 — "
Pleaders fee	Rs	84	— " — 8
Total Rupees		101	— 5 — 8

2nd Defendants Costs

Copy & Transcription Fee	Rs	1	— 5 — "
Power of attorney	Rs	"	— 8 — "
Pleaders fee	Rs	84	— " — 8
Total Rupees.		85	- 13 - 8

application presented. 19-8-78
Copy ready for delivery 20-8-78
do delivered - 22-8-78 Reqd/

J Lacey B C L
Asst Commissioner
Bangalore District

"True copy"

/signed/ F R L Thuy
for Head Clerk
Asst Commissioner Court
Bangalore Distt

/signed/
President Hire Commr
Bangalore Dist
22, 11 78.